



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,801	06/26/2003	Satyendra Yadav	P-5687-US	2806

7590 10/17/2005

EITAN, PEARL, LATZER & COHEN ZEDEK LLP
10 ROCKEFELLER PLAZA
SUITE 1001
NEW YORK, NY 10020

EXAMINER

ADDY, ANTHONY S

ART UNIT	PAPER NUMBER
----------	--------------

2681

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/603,801	Applicant(s) YADAV, SATYENDRA	
	Examiner Anthony S. Addy	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7,11,14,15,18,23 and 31-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7,11,14,15,18,23 and 31-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

87

DETAILED ACTION

1. This action is in response to applicant's amendment filed on July 25, 2005.

Claims 2-6, 8-10, 12-13, 16-17, 19-22 and 24-30 are cancelled, claims 31-34 have been added, claims 1, 7, 11, 14-15, 18, 23 and 31-34 are now pending in the present application.

Response to Arguments

2. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 7, 14, 15, 18, 23 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by **Whitehill et al., U.S. Publication Number 2004/0028017 A1 (hereinafter Whitehill)**.

Regarding claim 1, Whitehill discloses a method comprising determining a location of a client by determining a direction of a source of a signal received from said client (**see p. 2 [0016, lines 9-22], p. 3 [0035, lines 13-20] and p. 4 [0038, lines 7-16]**); and determining whether to grant said client access to a wireless local area network

Art Unit: 2681

based on said location (**see p. 2 [0015], p. 2 [0017, lines 10-15], p. 3 [0028, lines 6-10], p. 3 [0035, lines 13-20] and p. 4 [0038, lines 13-16]**).

Regarding claim 7, Whitehill teaches all the limitations of claim 1. In addition, Whitehill teaches a method, comprising: using a location fingerprint to determine said location of said client (**see p. 3 [0035, lines 15-18] and p. 2 [0017, lines 3-10]**).

Regarding claim 14, Whitehill teaches all the limitations of claim 1. In addition, Whitehill teaches a method, comprising accepting signals from a signal receiver pair wherein a first receiver of said signal receiver pair is to determine a location of a client relative to a permitted area (**see p. 3 [0035, lines 13-20, i.e. the wireless routers and access point reads on a signal receiver pair]**), and a second receiver of said signal receiver pair is to transmit data to said client (**see p. 4 [0038-0040]**).

Regarding claim 15, Whitehill teaches a system comprising: first and second signal receivers (**see p. 3 [0029, lines 1-7], p. 3 [0030] and Figures 1 & 2**); and a processor to withhold access of a client to a wireless local area network if said client is outside of a permitted area (**see p. 3 [0028, lines 3-10], p. 4 [0038, lines 13-16] and Fig. 1 [i.e. Authentication, Authorization and Accounting (AAA) server 105 reads on a processor to withhold access of a client to a wireless local area network if said client is outside of a permitted area, since Whitehall teaches the authentication server can determine if the location of a wireless user is within a defined space, such as building outline, and the authentication server may reject users that are outside the perimeter]**), wherein said first signal receiver is to determine a location of said client relative to said

Art Unit: 2681

permitted area, and said second signal receiver is to transmit data to said client (**see p. 4 [0038-0040]**).

Regarding claim 18, Whitehill teaches all the limitations of claim 15. In addition, Whitehill teaches a system, wherein said second receiver is an access point, and wherein said first receiver includes a wireless component whose location is known (**see p. 3 [0035, lines 15-18], p. 2 [0017, lines 3-10], p. 4 [0038-0040] and Fig.1**).

Regarding claim 23, Whitehill teaches all the limitations of claim 15. In addition, Whitehill teaches a system, wherein said first and second signal receivers are signal receivers of a signal receiver pair (**see p. 4 [0038-0040] and p. 3 [0035, lines 13-20, i.e. the wireless routers and access point reads on a signal receiver pair]**).

Regarding claim 32, Whitehill teaches a method comprising: receiving location data at an authentication system of a local area network; and determining whether to grant said client access to a wireless local area network based on said location signal (**see p. 3 [0028] and p. 4 [0038-0040]**).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11, 31, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Whitehill et al., U.S. Publication Number 2004/0028017 A1**

(hereinafter Whitehill) as applied to claims 1 and 32 above, and further in view of **Baral et al., U.S. Publication Number 2004/0162070 A1 (hereinafter Baral)**.

Regarding claims 11 and 33, Whitehill teaches all the limitations of claims 1 and 32. Whitehill further teaches a method, comprising: defining a boundary of a permitted area **(see p. 3 [0034] and Fig. 3)**.

Whitehill fails to explicitly teach recording instances of attempts to gain access to said wireless local area network from outside said boundary.

Baral, however, teaches a method for monitoring and filtering abnormal behavior of mobile stations in a wireless network, wherein instances of attempts to gain access to said wireless local area network are recorded **(see p. 1 [0008], p. 2 [0022] and p. 2 [0030])**.

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Whitehill with Baral to include a method of recording instances of attempts to gain access to said wireless local area network from outside said boundary, in order to monitor and filter abnormally high frequency of registrations of a malfunctioning, or rogue, mobile stations on a network as taught by Baral **(see p. 1 [0001])**.

Regarding claims 31 and 34, Whitehill in view of Baral teaches all the limitations of claims 11 and 33. Whitehill further teaches a method, comprising excluding said client from access to said network if a known identity of said client corresponds to one or more of said instances of attempts to gain access to said network **(see p. 3 [0028, lines 6-10], p. 3 [0035, lines 13-20], p. 4 [0038, lines 13-16] and p. 4 [0040])**.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dacosta, U.S. Publication Number 2004/0190718 A1 discloses apparatus and method for location based wireless client authentication.

Tiwari, U.S. Publication Number 2005/0089171 A1 discloses wireless perimeter security device and network using same.

Cannon et al., U.S. Publication Number 2002/0094777 A1 discloses enhanced wireless network security using GPS.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

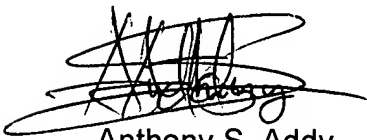
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2681

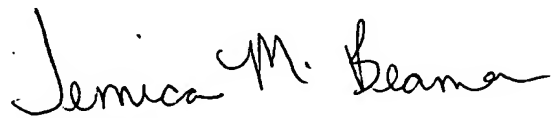
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony S. Addy whose telephone number is 571-272-7795. The examiner can normally be reached on Mon-Thur 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony S. Addy
October 5, 2005



TEMICA BEAMER
PRIMARY EXAMINER

10/12/05